



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 10

1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

JAN 5 2012

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OFFICE OF
WATER AND
WATERSHEDS

Babtist Paul Lumley, Executive Director
Columbia River Inter-Tribal Fish Commission
729 NE Oregon, Suite 200
Portland, Oregon 97232

Dear Mr. Lumley:

Thank you for your December 16, 2011, letter regarding consultation with the Columbia River Inter-Tribal Fish Commission (CRITFC) member tribes regarding the U.S. Environmental Protection Agency's (EPA), upcoming Clean Water Act decision on Idaho water quality standards revisions for toxics criteria to protect human health. In that letter you notified the EPA of your request that we consult each of your member tribes individually on Idaho's rulemaking. Since receipt of your letter we have also received letters from the Nez Perce Tribe and Umatilla Tribe requesting consultation. We have contacted all four of your member tribes. We are proceeding to schedule the consultations that Tribes have requested.

The EPA held two informational conference calls with interested Tribes and your staff participated in these calls which were held on December 7 and December 21, 2011. During the conference calls, we explained the schedule under which the EPA must make this Clean Water Act decision, which must be done no later than March 2, 2012. Consequently, we apprised your staff that we would need to conduct and conclude consultations by January 2012. We informed your staff that we would work to schedule consultation meetings with the EPA Regional Administrator, Dennis McLerran and interested tribal governments.

As of January 4, 2012, six tribes have requested a government to government consultation on the EPA's upcoming decision on Idaho water quality standards revision for toxics criteria to protect human health. To accommodate those requests in the month of January, we have carved out two days for tribal consultation with Dennis McLerran and tribal governments. The first date is January 18, 2012, in Spokane, Washington, between the hours of 11:00 am and 3:00 pm at a location to be determined. The second date is January 20, 2012, in Boise, Idaho, between the hours of 9:00 am and 2:00 pm at the EPA Boise office on 1435 North Orchard St., Boise, Idaho. We are currently working with those six tribes to schedule the consultations. If tribal governments are interested in meeting together as a group for the government-to-government consultation, we are open to conducting tribal consultations with more than one tribe.

Thank you for informing us of this request on behalf of your member tribes and for providing assistance to us throughout this process.

As you are aware, CRITFC's fish consumption survey provides a strong technical underpinning for the current discussions. We appreciate your leadership in this matter and look forward to continuing to work with you as we incorporate this data into our environmental management decisions. If you need further information please contact Mary Lou Soscia of my staff; she will be coordinating the consultation logistics and can be reached at (503)326-5873 or soscia.marylou@epa.gov.

Sincerely,

A handwritten signature in dark ink, appearing to read "Michael A. Bussell", written over a horizontal line.

Michael A. Bussell, Director
Office of Water and Watersheds

cc: Ms. Dianne Barton, Water Quality Coordinator
Columbia River Inter-Tribal Fish Commission